

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

EMMA MANNING,

Plaintiff,

v.

TACOMA PUBLIC SCHOOLS, ET AL.,

Defendants.

Case No. C06-5078 RBL

ORDER

Pending before the Court are Plaintiff's Motion to Continue Summary Judgment Motion, Dkt. #43. The court has considered the pleadings filed in support of and in opposition to the motions and the file herein.

Because defendant did not deliver its discovery responses in a timely fashion, Plaintiff's response to defendant's motion for summary judgment could not be fairly prepared. Plaintiff's motion for continuance of defendant's motion for summary judgment, Dkt. #43, is therefore GRANTED.

Having reviewed the papers filed thus far, the court reminds Plaintiff of a nonmoving party's obligations when responding to a summary judgment motion. The nonmoving party must designate "*specific facts* showing that there is a genuine issue for trial." *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986) (quoting Fed.R.Civ.P. 56(e)) (emphasis added). Using specific citations, the nonmoving party must *direct the court's attention* to specific facts and may not rely on generalized declarations or general citations to an entire deposition. A district court need not examine the entire file for evidence establishing a

1 genuine issue of fact, where the evidence is not set forth in the opposing papers with adequate references
2 so that it could conveniently be found. *Carmen v. San Francisco Unified Sch. Dist.*, 237 F.3d 1026,
3 1030-1031 (9th Cir. 2001). *See also Jaurequi v. Carter Mfg. Co.*, 173 F.3d 1076, 1085 (8th Cir.1999)
4 (“[A] district court is not ‘obligated to wade through and search the entire record for some specific facts
5 which might support the nonmoving party's claim.’”) (internal citation omitted); *Ragas v. Tenn. Gas*
6 *Pipeline Co.*, 136 F.3d 455, 458 (5th Cir.1998) (“Rule 56 does not impose upon the district court a duty
7 to sift through the record in search of evidence to support a party's opposition to summary judgment.”)
8 (internal citation omitted).

9 It is hereby ORDERED that Plaintiff's motion for continuance of defendant's motion for summary
10 judgment, Dkt. #43, is GRANTED.

11 Defendant's motion for summary judgment, Dkt. #36, is renoted for July 31.

12 Plaintiff's opposition brief is due **no later than noon on July 25**. All exhibits and supporting
13 materials must be filed at the same time.

14 Defendant's reply, if any, is due at noon on July 31.

15 DATED this 19th day of July, 2007.

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17 RONALD B. LEIGHTON
18 UNITED STATES DISTRICT JUDGE
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